

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

-----X

In re:

Chapter 11

PARK MONROE HOUSING DEVELOPMENT  
FUND CORPORATION, *et al.*,

Case No. 1-19-40820 (CEC)  
(Jointly Administered)

Debtors.

-----X

**ORDER GRANTING TENANTS RELIEF FROM AUTOMATIC STAY**

Upon the motion (the “**Motion**”) of tenants [ECF No. 68], who are residents in apartments owned by Debtors in the above-referenced action (“**Tenants**”), seeking entry of an Order, pursuant to title 11 of the United States Bankruptcy Code, 11 U.S.C. § 101 et seq. (as amended, the “**Bankruptcy Code**”); and this Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. § 1334; and consideration of the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion having been provided; and it appearing that no other or further notice need be provided; and the Court having reviewed the Motion; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and upon the proceedings had before the Court on August 14, 2019, and all other proceedings, and after due deliberation and sufficient cause appearing therefor, it is

**ORDERED** that the Motion is granted; and it is further

**ORDERED** that the automatic stay in effect pursuant to § 362 of the Bankruptcy Code shall be immediately lifted for limited purpose of allowing Tenants to assert counterclaims in the

Non-Pay Actions, to enforce the HP Settlements and the Individual Consent Orders, and to commence actions to compel repairs as required by applicable law, and to grant such other and further relief as may be just and appropriate; and it is further

**ORDERED** that the 14-day stay requirement set forth in Bankruptcy Rule 4001(a)(3) is waived and that the stay is lifted immediately upon entry of this Order; and it is further

**ORDERED** that this Court shall retain jurisdiction and authority with respect to all matters arising from or related to the enforcement of this Order. (CEC)

**ORDERED** that the New York City Housing Court of the Civil Court of the City of New York will have jurisdiction to resolve all disputes that arise with respect to the Non-Pay Actions, enforcement of the HP Settlements, the Individual Consent Orders, and any actions commenced under applicable state law relating to repairs. ~~from this Motion.~~ **(CEC)**

**Dated: Brooklyn, New York  
September 3, 2019**



  
Carla E. Craig  
United States Bankruptcy Judge